

## MEDICAL JURISPRUDENCE†

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### Cash Sickness Compensation; A New Type of State Legislation

Most states in the Union now have some form of an unemployment compensation act whereunder certain specified amounts will be deducted from the wages or salaries paid to employees subject to the act and, in the event of unemployment, they are entitled to benefits for a limited number of weeks in amounts proportionate to the contributions they have made to a central fund.

The State of Rhode Island at the last session of the Rhode Island General Assembly adopted an act supplementing its already existing unemployment compensation act. The new act, to be known as "Rhode Island Cash Sickness Compensation Act," is a law relating to cash sickness insurance. It is the first legislation of its kind to be enacted by any state legislature in the country, and should be of interest to the medical profession as a whole.

The declared purpose of the act is "to lighten the burden which now falls on the unemployed worker and his family" by providing for weekly benefits to be paid to workers who are unemployed due to sickness.

The legislation, effective May 10, 1942, establishes what is known as the "Rhode Island Cash Sickness Compensation Act" which is to be administered and benefits paid thereunder by the already existing Rhode Island Unemployment Compensation Board without liability on the part of the state beyond the amounts paid into and earned by the fund. The Treasurer of the State of Rhode Island is the custodian of this fund, which consists of all contributions made pursuant to the provisions of the act. Each employee, defined as meaning any person who is or has been employed by an employer within the meaning of the Unemployment Compensation Act, is required to contribute to the fund an amount equal to one per cent of his wages paid by his employer up to \$3,000.00 in any calendar year. The employer is responsible for withholding such contributions from the wages of his employees at the time such wages are earned or paid, and must transmit all such contributions to the fund in the custody of the State Treasurer.

The fund so created, together with its earnings, is then used to pay weekly benefits to workers unemployed due to sickness, and it is provided in the act that an individual shall be deemed to be sick in any week, in which, because of his physical or mental condition, he

is unable to perform any services for wages. The amount of weekly benefits range from a minimum of \$6.75 per week to a maximum of \$18.00 per week, depending upon the amount which the employee has previously earned and the contributions which he has made to the fund. The gross amount of benefits payable, and the duration thereof, are also limited on the same basis.

The Unemployment Compensation Act would seem to overlap this new type of legislation in that an individual might conceivably be eligible for payments under both the unemployment act and the cash sickness act. To avoid any possibility of double payment of benefits, Section 6, entitled "Benefit Eligibility Condition," provides that an individual shall be disqualified from receiving benefits in any week with respect to which he will receive remuneration in the form of compensation under workmen's compensation law or primary insurance benefits under the Federal Social Security Act or benefits under the Unemployment Compensation Law of any state or the United States. If, however, the amounts to be received under any of these acts is less than the amounts payable from the cash sickness compensation fund, then the worker is entitled to receive the excess.

The administrative provisions of the act provide for appeal tribunals wherein a referee is appointed by the unemployment compensation board to hear disputes over decisions of the original claims examiners employed by the board. A further appeal to the Unemployment Compensation Board is provided and an individual obtaining an adverse decision before the board may petition the Superior Court of the county in which he is employed for a review of the board's action.

## LETTERS†

### Concerning Medical Literature for Colleagues in Military Service

(COPY)

CALIFORNIA MEDICAL ASSOCIATION  
Committee on Postgraduate Activities

October 1, 1942.

Subject: *Medical Literature for Colleagues in Military Service: A Request for Coöperation.*

Addressed:

The Component County Medical Societies of the C.M.A. and the Medical Staffs of California Hospitals.

Dear Doctors:

CALIFORNIA AND WESTERN MEDICINE, in its September issue (on pages 169 and 170), outlined a plan through which an attempt will be made to supply the many physicians who are now attached to hospital stations of Army, Navy and Air Forces camps located in California with some of the current medical literature. (Note. See also

† Editor's Note.—This department of CALIFORNIA AND WESTERN MEDICINE, presenting copy submitted by Hartley F. Peart, Esq., will contain excerpts from the syllabi of recent decisions and analyses of legal points and procedures of interest to the profession.

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